IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Appellant:

Qirfiraz SIDDIQUI

Serial Number: 10/788,614

Filed: February 27, 2004

Appeal No.:

Group Art Unit: 2617

Examiner: Kwasi KariKari

For: USAGE OF CELLULAR PHONES TO ANNOUNCE/NOTIFY TIMINGS OF MUSLIM PRAYERS

BRIEF ON APPEAL

January 6, 2010

I. INTRODUCTION

This is an appeal from the final rejection set forth in an Official Action dated April 6, 2009, finally rejecting claims 12-26, all of the claims pending in this application, as being unpatentable over Rankin (U.S. Patent No. 6,879,838) in view of Hasebe (U.S. Patent No. 6,946,991). A Notice of Appeal together with a Pre-Appeal Request for Review was timely filed on June 15, 2009. A Notice of Panel Decision from Pre-Appeal Brief Review was mailed on December 7, 2009. This Appeal Brief is being timely filed.

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II. REAL PARTY IN INTEREST

The real party in interest in this application is Qirfiraz Siddiqui (the inventor), as evidenced by the original filling papers submitted on February 27, 2003.

III. STATEMENT OF RELATED APPEALS AND INTERFERENCES –

37 CFR 41.37(c)(1)(ii)

There are no known related applications, patents, appeals, judicial proceedings, and/or interferences which will directly effect or be directly effected by or have a bearing on the Board's decision in this appeal.

IV. STATUS OF CLAIMS

Claims 1-11 have been cancelled. Claims 12-26, all of the claims pending in the present application, are the subject of this appeal. See Section VII ("Grounds of Rejection") below, for a detailed listing of the various grounds of rejection.

V. STATUS OF AMENDMENTS

All of claims 12-26 stand as they were previously presented prior to the Final Office Action of April 6, 2009. No amendments have been submitted or entered since that time. Thus, claims 12-26 are pending and the respective rejections of claims 12-26 are appealed.

VI. SUMMARY OF CLAIMED SUBJECT MATTER

The following is a concise explanation of the subject matter defined in each of the independent claims and the separately argued dependent claims, as required by 37 CFR 41.37(c)(1)(v).

Claim 12, upon which claims 13-21 are dependent, recites a method of notifying a mobile device of location-dependent prayer timings. See, *for example*, page 14, lines 2-8, at operation "9", and FIG. 2. The method also includes determining an estimated location of the mobile device, within a precision of a coverage area of at least one base station by employing a location technology algorithm. See, *for example*, page 13, lines 10-15, at operation "4", and FIGS. 9 and 10. The method also includes comparing the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device. See, *for example*, page 13, lines 17-22 paragraphs 5 and 6 at operations "6" and "7" and FIG. 11. The translation table is used to determine at least one prayer time based on a function of at least the estimated location of the mobile device, See, *for example*, page 6, lines 25-30 and page 7, lines 1-3, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location. See, *for example*, page 13, lines 23-25 and component 80 of FIG. 3, and a time of day as measured at the estimated location. See, *for example*, page 6, lines 18-24 "SUMMARY", page 13, lines 23-25 and component 80 of FIG. 3. The method also discloses that the estimated location of the mobile device

used to determine the at least one prayer time is based on the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device. See, *for example*, page 7, lines 28-30 and first page 8, lines 1-5, and FIG. 9. The method also discloses that the Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table. See, *for example*, page 12, lines 18-30 and page 13, lines 1-5 and component 75 of FIG. 3. The method also discloses translating the determined at least one prayer time into a wireless communication message and forwarding the message to the mobile device. See, *for example*, page 13, lines 5-20.

Claim 22, upon which claims 23 and 24 are dependent, recites a method of notifying a mobile device of location-dependent Muslim prayer timings. See, *for example*, page 14, lines 2-8, at operation "9", and FIG. 2. The method also includes determining an estimated location of the mobile device within a precision of a coverage area of at least one predetermined Azaan-neighborhood stored in a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device. See, *for example*, page 13, lines 10-20 at operations "4", "5" and "6" and FIGS. 9 and 10. The method also includes that the translation table is used to map the coverage area of the Azaan-neighborhood to at least

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a portion of the coverage area of at least one base station in communication range of the mobile device. See, *for example*, page 7 lines 28-30 and page 8, lines 1-5 and FIG. 9. The method also includes determining at least one estimated prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location and a current cell identification (Cell ID) parameter assigned to the mobile device. See, *for example*, page 6, lines 28-30 and page 7, lines 1-3 and component 80 of FIG. 3, and page 6, lines 18-24 "SUMMARY." The method also includes that the Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table. See, *for example*, page 12, lines 18-30 and page 13, lines 1-5 and component 75 of FIG. 3. The method also includes translating the determined at least one prayer time into a wireless communication message and forwarding the message to the mobile device. See, *for example*, page 13, lines 5-20.

Claim 25, upon which claim 26 is dependent, recites a system of notifying a mobile device of location-dependent prayer timings. See, *for example*, page 14, lines 2-8, paragraph 2 at operation "9", and FIG. 2. The system also includes at least one base station in communication with the mobile device. See, *for example*, FIGS. 9 and 10. The

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system also includes a location server that determines an estimated location of the mobile device within a precision of a coverage area of that at least one base station by employing a location technology algorithm. See, *for example*, page 13, lines 10-15, at operation "4", and FIGS. 9 and 10. The system also includes a server that runs a prayer time calculation program application and compares the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device. See, *for example*, page 12, lines 18-30 and page 13, lines 1-5 and component 40 of FIG. 10. The translation table is used to determine at least one prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location. See, *for example*, page 6, lines 28-30 and page 7, lines 1-3 and component 80 of FIG. 3, and page 6, lines 18-24 "SUMMARY" and component 80 of FIG. 3. The system is also configured to determine the estimated location of the mobile device to determine the at least one prayer time based on the current cell identification (Cell ID) parameter assigned to the mobile device. See, *for example*, page 7 lines 28-30 and page 8, lines 1-5 and FIG. 9. The Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table. See, *for example*, page 12, lines 18-30 and page

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13, lines 1-5 and component 75 of FIG. 3. The system also includes a gateway that communicates with the server and which relays the at least one prayer time to the mobile device. See, *for example*, page 14, lines 1-7 and component 35 of FIG. 2.

VII. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The issues on appeal are whether claims 12-26 are unpatentable over Rankin

(U.S. Patent No. 6,879,838) in view of Hasebe (U.S. Patent No. 6,946,991).

As will be discussed below, this Appeal Brief will show that these rejections should

be withdrawn, and this application passed to issue.

VIII. APPELLANT'S ARGUMENTS

Appellants respectfully submit that each of the pending claims 12-26 recites subject matter that is not taught, disclosed, or suggested by the cited art. Each of the claims is being argued separately, and thus, each of the claims stands or falls alone.

Claims 12-26 are patentable over Rankin in view of Hasebe

i. Claim 12

Claim 12, upon which claims 13-21 are dependent, recites a method that includes notifying a mobile device of location-dependent prayer timings. The method also includes determining an estimated location of the mobile device, within a precision of a coverage area of at least one base station by employing a location technology algorithm. The method further includes comparing the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, the translation table used to determine at least one prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location, and where the estimated location of the mobile device used to determine the at least one prayer time is based on the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device. The Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on

the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table. The method further includes translating the determined at least one prayer time into a wireless communication message and forwarding the message to the mobile device.

The present application is directed to a method of providing Muslim prayer times to users' of cell phones. Muslim prayer dictates a five-time-per-day prayer session schedule. It is very important that the prayers are conducted at specific times based on a yearly calendar, ones present location and the present position of the sun. In other words, the prayer times are location dependent and tend to be delegated and compiled by Muslim loyalists by ranges of approximately 15-20 miles in all directions otherwise known as an "Azaan" neighborhood. Coincidentally, the very range of a mobile cell phone (handheld phone) and its present serving base station (communication tower to which the phone communicates) tends to be about 20 miles. Base stations may be identified by a "Cell ID" which is a known parameter in the field of telecommunications and is not generic or fictitious in any way. In fact, "Cell IDs" tend to be numbers used in a numbering scheme of multiple cells.

After careful consideration of the disclosures of Rankin and Hasebe, Appellant submits that the combination of Rankin and Hasebe does not teach or suggest "where the estimated location of the mobile device used to determine the at least one prayer time is based on the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device" and "wherein said Cell ID

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is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 and similarly in independent claim 22 and 25.

Rankin does not disclose a "Cell ID" at all. 35 U.S.C. §103(a) requires that all rejected claim recitations be expressly disclosed or at least implied by the teachings of the combination of references. If Rankin does not disclose a Cell ID at all, then there is no way possible that a Cell ID can be impliedly introduced into a translation table, identified by the location algorithm and used to ultimately provide a location-based prayer time to the user. Independent claims 12, 22 and 25 provide very specific details regarding the use of the Cell ID and its role in determining the Muslim prayer times.

As noted above in the claim recitations of claim 12, a Cell ID parameter is used as a parameter that represents an estimated location of the mobile station and as a physical parameter in translation table. A Cell ID is well known to those having ordinary skill in the art as a unique number assigned to represent an individual cell (i.e., a cell of a GSM cellular network), which may also be assigned to a given operator.

In operation, a mobile station connected to a cell would know or at least have access to its respective Cell ID number, which, in turn, provides the mobile station with the knowledge of its corresponding base station and cell location. By knowing which cell the mobile station is operating under, the mobile station can be identified as being located

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within an estimated location of the cell's active coverage area. Simply knowing which Cell ID parameter is assigned to the mobile station and that the mobile station is actively communicating with the cell, the mobile station's position can be estimated as being somewhere in the vicinity of the cell's coverage area. A cell may generally be anywhere between several hundred meters and several kilometers across, thus putting the mobile station's estimated location as being anywhere within the cell's physical limits.

As noted above in the claim recitations of claim 12, the Cell ID is a parameter in a table and is identified as an estimated location of the mobile station. Claim 12 further identifies that the location of the mobile station is based on the coverage area of the base station. Using a Cell ID-based location scheme to identify the location of the mobile station is not disclosed in Rankin. The entire contents of Rankin's disclosure are directed to using GPS or time of arrival-based location algorithms. In fact, GPS provides a more detailed and precise estimate of the location of a mobile station than a Cell ID based location scheme. GPS and Cell ID-based mobile station location schemes are not the same. GPS estimates coordinates of the mobile station itself, whereas the Cell ID-based location scheme simply refers to a Cell ID assigned to the mobile station.

Referring to the Final Office Action dated April 6, 2009, page 4, lines 10-12 alleged that Rankin discloses "where the estimated location of the mobile device used to determine the at least one prayer time is based on the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device", as recited in claim 12 and similarly in independent claims 22 and 25, and relied on columns 3-6 of Rankin for support. Appellant strongly disagrees and submits that the following detailed analysis of columns 3-6 of Rankin will demonstrate the lack of support

for the above-noted feature of claim 12.

Referring to column 3, lines 33-48 of Rankin, a time difference of arrival (TDOA) algorithm is used to determine the location of the mobile communications device 100 (see column 3, lines 35-40 of Rankin). TDOA implements a triangulation algorithm that is based on power signals measured between at least two base stations and the communications device 100. The estimated power signals are normalized based on the at least two base stations to provide an estimated location of the communications device 100. Rankin then proceeds to describe the advent of a self-equipped GPS location estimation technique (see column 3, lines 40-45 of Rankin) used to estimate the location of the mobile communications device 100. Clearly, neither of these techniques use the Cell ID parameter of the mobile communications device, and, certainly, not the Cell ID parameter itself to demonstrate a location estimate of the mobile communications devices.

Referring to column 4, line 12 through column 5, line 12 of Rankin (an entire page of Rankin's disclosure), GPS and TDOA are again described as tools used to locate the position of the mobile communications device 100. An example is given which describes the precision of location as being +/- 10 meters. Contrary to this measuring technique of Rankin, claim 12 recites "determining an estimated location of the mobile device, within a precision of a coverage area of at least one base station by employing a location technology algorithm." A base station in its smallest form goes beyond 10 meters worth of coverage, and, thus, the GPS location estimate of Rankin is far more precise than the simple precision of a coverage area of at least one base station, as recited in the pending claims.

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Further regarding column 4 of Rankin, once a location estimate has been obtained, a location resource server 103 provides an electronic map of location-based information services to the device 100. The server 103 maps locations (based on geographical estimates from GPS or TDOA) to services near the locations (see column 4, lines 45-49). There is no reference in Rankin of mapping of cell IDs to any location services.

Referring to column 5 of Rankin, examples are disclosed which include providing information to the users based on the time of day, user preferences, and which also include using maps having nearby service information. Column 6 of Rankin provides more detailed examples of the types of maps sent to the user communications device 100. For example, maps may include local bus timetables, airport boarding information etc. (see column 6, lines 40-47 of Rankin). As noted above, none of the location-specific information provided to the mobile communications device 100 is based on a Cell ID of the cell of the communications device. If Rankin were to rely solely on a Cell ID location algorithm the precision required by Rankin would not be met and the location services map would fail for being to vast and inaccurate.

The Office Action's allegation that Rankin discloses "where the estimated location of the mobile device used to determine the at least one prayer time is based on the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device", as recited in claim 12 and similarly in independent claims 22 and 25 is without merit because Rankin does not disclose a Cell ID based location scheme. Rankin is using GPS and TDOA to determine as precise a location as possible for the mobile communications device 100 so that user preferences

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and nearby services can be matched and accurately forwarded to the mobile communications device 100. The present application instead simply discloses a cell ID as an estimate to provide a prayer time based on a larger less precise region. The Azaan neighborhood used in Muslim prayers does not require as much precision as a local service store (i.e., a restaurant (see column 7, line 1 of Rankin)).

The Office Action further alleged that the "Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the mobile station." Appellant submits that Rankin does not disclose a Cell ID anywhere in its disclosure. The fact that the claims recite "said Cell ID is a parameter in the translation table...", and Rankin does not disclose a "Cell ID", serves as evidence that Rankin does not disclose the alleged features of the claims. Aside from the lack of an express teaching of a Cell ID, Rankin also does not even hint or suggest that a Cell ID-based location scheme would be appropriate because the precision required for the GPS and TDOA location schemes disclosed in Rankin would require even more accuracy to provide exact locations of services, such as, restaurants and bus stops.

In support of the allegation that Rankin discloses "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited in independent claim 12, 22 and 25, the Office Action relied on

column 4, lines 12-34 of Rankin, Appellant submits that column 4 of Rankin is silent regarding these features of the pending claims.

As noted above, column 4 of Rankin discloses that GPS and TDOA are tools used to locate the position of the mobile communications device 100. An example is given which describes the precision of location as being +/- 10 meters. Further regarding column 4 of Rankin, once a location estimate has been obtained, a location resource server 103 provides an electronic map of location based information services to the device 100. The server 103 maps locations (based on geographical estimates from GPS or TDOA) to services near the locations (see column 4, lines 45-49). There is no reference in Rankin of any mapping of Cell IDs to any location services.

In addition to the above-noted deficiencies of Rankin, Hasebe does not cure those deficiencies with respect to any of claims 12-26. Hasebe discloses a device that helps determine when to pray and what direction to face when praying (see FIG. 3 of Hasebe). Hasebe discloses a religious service time table that uses location information via GPS and position information via a compass (see column 1, lines 44-46 of Hasebe). Column 3, line 33 and lines 55-60 of Hasebe make it clear that Hasebe is limited to GPS to determine when and what direction to use when praying. Direction is not a very difficult problem for Muslim prayer accuracy. The times of day based on ones location are far more important to Muslims in general in preparing for prayer as the direction can be estimated by any number of ways. Hasebe does not rely on any cellular-related features, such as, a cell ID to estimate a location of a mobile station, and, to implement a cellular parameter in a translation table for determining a prayer time. Similarly to Rankin, Hasebe is silent regarding the use of a cell ID parameter. Hasebe simply fails to disclose

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any features related to a cell phone or a base station.

Therefore, neither Rankin nor Hasebe discloses "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited in independent claim 12, 22 and 25.

Furthermore, The Examiner noted on page 3, lines 1-3 of the Final Office Action dated April 6, 2009, that "there is very little description [of the] in the claimed limitations which empirically narrows the manner in which the examiner must interpret such claimed limitations", Appellant disagrees with such a position and course of action taken by the Examiner when examining the claims. Initially, it is noted that the specification was drafted by the independent inventor himself under his constitutional rights to prepare and file a patent application. Clearly, the specification has not been drafted in the same format adopted by most patent professionals. Appellant acknowledges that such a specification may make the duties of the Examiner more burdensome when attempting to interpret the features of the specification. However, the blanket statement that the claims will be interpreted narrowly, and implying that such interpretation will be more narrow than if the claims had been accompanied by a more concise specification is beyond the scope of any acceptable patent practice permitted by corresponding patent rules and patent laws. The claims are all in compliance with the enablement and written description requirements of 35 U.S.C. §112, first paragraph. One skilled in the art would readily

recognize that the specification in its present form supports the details of the claims regardless of the word choice or specific examples provided.

Therefore, Appellant submits that the subject matter recited in independent claims 12, 22 and 25, and by virtue of dependency, those claims dependent thereon, clearly recite subject matter that is not taught by Rankin or Hasebe. A *prima facie* case of obviousness under 35 U.S.C. §103(a) has not been established since all of the claim recitations are not disclosed by the combination of references, and, thus, the rejection must be withdrawn.

As such, Appellant respectfully requests that the rejection of claim 12 be reversed and the claim be allowed.

ii. Claim 13

Claim 13 depends from claim 12 and further limits claim 12. Furthermore, claim 13 recites "the estimated location of the mobile device has a precision of the coverage area of at least two adjacent base stations." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 13.

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For at least this reason it is respectfully requested that the rejection of claim 13 be reversed.

iii. Claim 14

Claim 14 depends from claim 12 and further limits claim 12. Furthermore, claim 14 recites "the precision of the coverage area of the at least one base station is used as an approximation of an Azaan-neighborhood in the translation table to determine the at least one prayer time." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 14.

For at least this reason it is respectfully requested that the rejection of claim 14 be reversed.

iv. Claim 15

Claim 15 depends from claim 12 and further limits claim 12. Furthermore, claim 15 recites "the at least one prayer time is a Muslim prayer time." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is

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a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 15.

For at least this reason it is respectfully requested that the rejection of claim 15 be reversed.

v. Claim 16

Claim 16 depends from claim 12 and further limits claim 12. Furthermore, claim 16 recites "the location technology algorithm calculates the location of the mobile device based on the Cell ID assigned to the mobile device." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 16.

For at least this reason it is respectfully requested that the rejection of claim 16 be

reversed.

vi. Claim 17

Claim 17 depends from claim 12 and further limits claim 12. Furthermore, claim 17 recites "the location technology algorithm calculates the location of the mobile device based one or more of the following location technologies: global positioning system (GPS), assisted global positioning system (AGPS), advanced forward link trilateration (AFLT), enhanced observed time difference (EOTD), time difference of arrival (TDOA), angle of arrival (AOA) and enhanced forward link trilateration (EFLT)." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 17.

For at least this reason it is respectfully requested that the rejection of claim 17 be reversed.

vii. Claim 18

Claim 18 depends from claim 12 and further limits claim 12. Furthermore, claim 18 recites "the wireless communications operate over one or more of the following

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wireless communications protocols: advanced mobile phone service (AMPS), global system for mobile communication (GSM), time division multiple access (TDMA), frequency division multiple access (FDMA), code division multiple access (CMDA), general packet radio service (GPRS), universal mobile telecommunications system (UMTS) and integrated digital enhanced network (IDEN)." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 18.

For at least this reason it is respectfully requested that the rejection of claim 18 be reversed.

viii. Claim 19

Claim 19 depends from claim 12 and further limits claim 12. Furthermore, claim 19 recites "the prayer time is transmitted to the mobile device via a push protocol." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer

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time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 19.

For at least this reason it is respectfully requested that the rejection of claim 19 be reversed.

ix. Claim 20

Claim 20 depends from claim 12 and further limits claim 12. Furthermore, claim 20 recites "monitoring subscriber information of a plurality of subscribers stored in a database and determining if each subscriber is currently connected to the subscriber network and updating the current Cell ID and location information of the subscriber and determining at least one additional prayer time based on the updated Cell ID and location information." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 20.

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For at least this reason it is respectfully requested that the rejection of claim 20 be reversed.

x. Claim 21

Claim 21 depends from claim 12 and further limits claim 12. Furthermore, claim 21 recites "the wireless communication message is at least one of a text message, a tone indicator and a media file." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 12 as submitted in Section VIII.(i), Rankin and Hasebe also do not disclose the features of claim 21.

For at least this reason it is respectfully requested that the rejection of claim 21 be reversed.

xi. Claim 22

Claim 22 recites a method of notifying a mobile device of location-dependent Muslim prayer timings. The method includes determining an estimated location of the mobile device within a precision of a coverage area of at least one predetermined Azaan-neighborhood stored in a translation table stored at one or more memory locations

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including the mobile device and/or a remote server capable of forwarding information to the mobile device. The translation table is used to map the coverage area of the Azaan-neighborhood to at least a portion of the coverage area of at least one base station in communication range of the mobile device. The method also discloses determining at least one estimated prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location and a current cell identification (Cell ID) parameter assigned to the mobile device. The Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table. The method also includes translating the determined at least one prayer time into a wireless communication message and forwarding the message to the mobile device.

Appellant respectfully submits that the combination of Rankin and Hasebe fail to disclose or suggest all of the elements of claim 22.

Appellant respectfully submits that the combination of Rankin and Hasebe fail to disclose or suggest at least the features of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the

coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 22 for the same reasons stated above in Section VIII.(i) for independent claim 12.

Based at least one the above, Appellant respectfully submits that the combination of Rankin and Hasebe fail to disclose or suggest all of the features of independent claim 22 because Rankin and Hasebe fail to disclose or suggest "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 22. It is respectfully requested that the rejection of claim 22 be reversed and the claim be allowed.

xii. Claim 23

Claim 23 depends from claim 22 and further limits claim 22. Furthermore, claim 23 recites "the Azaan-neighborhood coverage area is the same as a coverage area of one of a plurality of base stations in communication range of the mobile device." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer

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time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 22 as submitted in Section VIII.(xi), Rankin and Hasebe also do not disclose the features of claim 23.

For at least this reason it is respectfully requested that the rejection of claim 23 be reversed.

xiii. Claim 24

Claim 24 depends from claim 22 and further limits claim 22. Furthermore, claim 24 recites "the Azaan-neighborhood coverage area is the same as a coverage area of at least two of a plurality of base stations in communication range of the mobile device." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 22 as submitted in Section VIII.(xi), Rankin and Hasebe also do not disclose the features of claim 24.

For at least this reason it is respectfully requested that the rejection of claim 24 be reversed.

xiv. Claim 25

Claim 25 recites a system of notifying a mobile device of location-dependent prayer timings. The system includes at least one base station in communication with the mobile device. The system also includes a location server that determines an estimated location of the mobile device within a precision of a coverage area of that at least one base station by employing a location technology algorithm. The system further includes a server that runs a prayer time calculation program application and compares the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, said translation table used to determine at least one prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location, and where the estimated location of the mobile device used to determine the at least one prayer time has a precision of the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device. The Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table. The system also includes a gateway that communicates with the server

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and which relays the at least one prayer time to the mobile device.

Appellant respectfully submits that the combination of Rankin and Hasebe fail to disclose or suggest all of the elements of claim 25.

Appellant respectfully submits that the combination of Rankin and Hasebe fail to disclose or suggest at least the features of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 25 for the same reasons stated above in Section VIII.(i) for independent claim 12.

Based at least one the above, Appellant respectfully submits that the combination of Rankin and Hasebe fail to disclose or suggest all of the features of independent claim 25 because Rankin and Hasebe fail to disclose or suggest "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 25. It is respectfully requested that the rejection of claim 25 be reversed and the claim be allowed.

xv. Claim 26

Claim 26 depends from claim 25 and further limits claim 25. Furthermore, claim 26 recites "the mobile device is one of: a mobile phone, location-aware wirelessly connected personal digital assistant (PDA), handheld personal computer, tablet personal computer, and a pocket personal computer." Because Rankin and Hasebe do not disclose the particular features of the method of "wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table", as recited, in part, in independent claim 25 as submitted in Section VIII.(xiv), Rankin and Hasebe also do not disclose the features of claim 26.

For at least this reason it is respectfully requested that the rejection of claim 26 be reversed.

IX. CONCLUSION

For all of the above noted reasons, it is strongly contended that certain clear differences exist between the present invention as claimed in claims 12-26 and the prior art relied upon by the Examiner. It is further contended that these differences are more than sufficient that the present invention would not have been obvious to a person having ordinary skill in the art at the time the invention was made.

This final rejection being in error, therefore, it is respectfully requested that this honorable Board of Patent Appeals and Interferences reverse the Examiner's decision in this case and indicate the allowability of application claims 12-26.

In the event that this paper is not being timely filed, the Appellant respectfully petitions for an appropriate extension of time.

Respectfully submitted,

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Encls: Appendix 1 - Claims on Appeal
       Appendix 2 - Evidence

Appendix 3 - Related Proceedings

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CLAIMS ON APPEAL

Claims 1-11. (Cancelled)

12. (Currently Amended) A method of notifying a mobile device of location-dependent prayer timings, the method comprising:

determining an estimated location of the mobile device, within a precision of a coverage area of at least one base station by employing a location technology algorithm;

comparing the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, said translation table used to determine at least one prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location, and where the estimated location of the mobile device used to determine the at least one prayer time is based on the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device,

wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of

the translation table and a look-up table; and

translating the determined at least one prayer time into a wireless communication message and forwarding the message to the mobile device.

13. (Previously Presented) The method of claim 12, wherein the estimated location of the mobile device has a precision of the coverage area of at least two adjacent base stations.

14. (Previously Presented) The method of claim 12, wherein the precision of the coverage area of the at least one base station is used as an approximation of an Azaan-neighborhood in the translation table to determine the at least one prayer time.

15. (Previously Presented) The method of claim 12, wherein the at least one prayer time is a Muslim prayer time.

16. (Currently Amended) The method of claim 12, wherein the location technology algorithm calculates the location of the mobile device based on the Cell ID assigned to the mobile device.

17. (Previously Presented) The method of claim 12, wherein the location technology algorithm calculates the location of the mobile device based one or more of the following location technologies: global positioning system (GPS), assisted global positioning system (AGPS), advanced forward link trilateration (AFLT), enhanced

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observed time difference (EOTD), time difference of arrival (TDOA), angle of arrival (AOA) and enhanced forward link trilateration (EFLT).

18. (Previously Presented) The method of claim 12, wherein the wireless communications operate over one or more of the following wireless communications protocols: advanced mobile phone service (AMPS), global system for mobile communication (GSM), time division multiple access (TDMA), frequency division multiple access (FDMA), code division multiple access (CMDA), general packet radio service (GPRS), universal mobile telecommunications system (UMTS) and integrated digital enhanced network (IDEN).

19. (Previously Presented) The method of claim 12, wherein the prayer time is transmitted to the mobile device via a push protocol.

20. (Previously Presented) The method of claim 12, wherein the method further comprises:

monitoring subscriber information of a plurality of subscribers stored in a database and determining if each subscriber is currently connected to the subscriber network and updating the current Cell ID and location information of the subscriber and determining at least one additional prayer time based on the updated Cell ID and location information.

21. (Previously Presented) The method of claim 12, wherein the wireless communication message is at least one of a text message, a tone indicator and a media

file.

22. (Currently Amended) A method of notifying a mobile device of location-dependent Muslim prayer timings, the method comprising:

determining an estimated location of the mobile device within a precision of a coverage area of at least one predetermined Azaan-neighborhood stored in a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, said translation table used to map the coverage area of the Azaan-neighborhood to at least a portion of the coverage area of at least one base station in communication range of the mobile device;

determining at least one estimated prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated location and a current cell identification (Cell ID) parameter assigned to the mobile device,

wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table; and

translating the determined at least one prayer time into a wireless communication

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message and forwarding the message to the mobile device.

23. (Previously Presented) The method of claim 22, wherein the Azaan-neighborhood coverage area is the same as a coverage area of one of a plurality of base stations in communication range of the mobile device.

24. (Previously Presented) The method of claim 22, wherein the Azaan-neighborhood coverage area is the same as a coverage area of at least two of a plurality of base stations in communication range of the mobile device.

25. (Currently Amended) A system of notifying a mobile device of location-dependent prayer timings, the system comprising:

at least one base station in communication with the mobile device;

a location server that determines an estimated location of the mobile device within a precision of a coverage area of that at least one base station by employing a location technology algorithm;

a server that runs a prayer time calculation program application and compares the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, said translation table used to determine at least one prayer time based on a function of at least the estimated location of the mobile device, a time of year as measured from pre-stored annual calendar position information corresponding to the estimated location, and a time of day as measured at the estimated

location, and where the estimated location of the mobile device used to determine the at least one prayer time has a precision of the coverage area of the at least one base station and a current cell identification (Cell ID) parameter assigned to the mobile device,

wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station, and where the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table; and

a gateway that communicates with the server and which relays the at least one prayer time to the mobile device.

26. (Previously Presented) The system as recited in claim 25, wherein the mobile device is one of: a mobile phone, location-aware wirelessly connected personal digital assistant (PDA), handheld personal computer, tablet personal computer, and a pocket personal computer.

APPENDIX 2

EVIDENCE APPENDIX

No evidence under section 37 C.F.R. 1.130, 1.131, or 1.132 has been entered or

will be relied upon by Appellants in this appeal.

APPENDIX 3

RELATED PROCEEDINGS APPENDIX

No decisions of the Board or of any court have been identified under 37 C.F.R. §41.37(c)(1)(ii).